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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JOHN WITHEROW, ) 3:08-cv-00363-LRH-RAM  
Plaintiff, ) ORDER  
vs. )  
CATHERINE CORTEZ-MASTO, et al., )  
Defendants. )

The court has considered the report and recommendation of the United States Magistrate Judge (#61) filed on August 3, 2009. Before the court is plaintiff's motion for a preliminary injunction (#7). Defendants have opposed (#27) and plaintiff has replied (#36). The Magistrate Judge recommends the motion be denied. Also before the court is defendants' motion to strike or in the alternative motion for extension of time (#66).

The court has considered the pleadings and memoranda of the parties and other relevant matters of record and has made a review and determination in accordance with the requirements of 28 U.S.C. § 636 and applicable case law, and good cause appearing, the court hereby

1 ADOPTS AND ACCEPTS the report and recommendation of the United  
2 States Magistrate Judge (#61). Therefore, plaintiff's motion for a  
3 preliminary injunction (#7) is DENIED. Additionally, defendants'  
4 motion to strike or in the alternative motion for extension of time  
5 (#66) is DENIED as moot.

6 It is so ORDERED.

DATED: This 23rd day of September, 2009.

*Hicks*  
UNITED STATES DISTRICT JUDGE